

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING
DIVISION OF PROFESSIONAL REGULATION
MECHANICAL BOARD**

WEDNESDAY, October 7, 2009

9:00 A.M.

In attendance: Timothy Byrne

Fred Foeri

Quinlan T. Regan

Michael Januario

Steven Gray

Ted Whittaker, Senior Chief

Ben Copple, Legal

Not in attendance: Ron Cronin

Stan Davies

Dennis Brennan

Raymond Freitas

Bobby Joe Harris

Jack King

Meeting was called to order at 9:22 am by Terry Regan.

We will dispense with the reading of last months minutes no quorum.

We will hear testimony and bring it to the full board next meeting for a vote.

Hearings:

Board Member Tim Byrne recuses himself.

1) Richard Rodrigues, R & R Services-viol#3773, Jared Marchand-viol#3775, Gordon Hardy-viol#3774, All parties are sworn in, Ted Whittaker, Sr. Chief Mechanical Investigator read the violations: #3773-On August 24, 2009, board member Tim Byrne noticed individuals doing service at Panera Bread, Division Street, East Greenwich, RI. The individuals were Jared Marchand of 492 Bark Street, Swansea MA 02777 and Gordon Hardy of 26 Chavenson Street, Fall River, MA, neither individual holds a license in Rhode Island to do walk-in cooler service work. This is a violation of RIGL 28-27-4-“master pipefitting contractor; means a person having a regular place of business and who, by him or herself, or a journeyperson pipefitter in his or her employ, performs pipefitting work subject to the provisions of this chapter and their rules and regulations and licensing criteria promulgated under this chapter. Two violations of \$500.00 each for a total of \$1000.00. #3774: On August 24, 2009, board member Tim Byrne noticed Gordon Hardy an employee of R & \$ Services, 376 Milford Street, Swansea Ma doing service on the walk-in coolers at Panera Bread, Division Street, East Greenwich, RI. Mr. Hardy is not license to do HVAC work in Rhode Island. This is a violation of RIGL 28-27-28-“practice for which a license is required”, one violation of \$500.00. and #3775: On August 24, 2009, board member, Tim Byrne noticed Jared Marchand an

employee of R & R Services, 376 Milford Street, Swansea MA doing service on the walk-in coolers at Panera Bread, Division Street , East Greenwich, RI. Mr. Marchand is not licensed to do HVAC work in Rhode Island. This is a violation of RIGL 28-27-28-“practice for which a license is required”, one violation of \$500.00. Mr. Hardy has taken the exam and passed and Mr. Marchland is scheduled to take the exam. Tim Byrne board member addressed the board. Richard Rodrigues, R & R Services addressed the board. Jared Marchand addressed the board and Gordon Hardy addressed the board. The board questioned all parties, testimony will be taken and given to the full board for review at the next meeting and then a recommendation will be made to the director.

End of hearings.

David Studley addressed the board in regard to request to be able to sit for the Pipefitter Master II exam now, even though he is 5 months shy of his eligibility date of 2/22/2010. Testimony will be given to the full board at the next meeting and then a decision will be rendered.

Elias Richardson III addressed the board in regard to Geothermal Installation, and whether or not a license is required and if so, what type of license. Testimony will be given to the board before clarification can be made.

A motion to adjourn was made by Tim Byrne and seconded by Mike

Januario. Passed unanimously by the board.

The meeting adjourned at 9:50 am.

The next meeting will be on Wednesday, November 4, 2009 at 9:00 am.